

Notice of Allowability

Application No.

10/759,262

Examiner

Thomas A. Morrison

Applicant(s)

KONDRATUK ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicant's 7/10/2007 amendment.
2. ☒ The allowed claim(s) is/are 13-20 and 26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

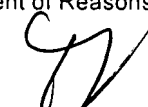
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


PATRICK MACKEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

DETAILED ACTION

1. Applicant's 7/10/2007 amendment has been entered.

Election/Restrictions

2. This application is in condition for allowance except for the presence of claims 22-25 directed to method claims non-elected without traverse. Accordingly, claims 22-25 been cancelled.

EXAMINER'S AMENDMENT

3. The application has been amended as follows:

IN THE CLAIMS:

Claims 22-25 have been canceled.

Allowable Subject Matter

4. The following is an examiner's statement of reasons for allowance:

Independent claim 13 of applicant's 7/10/2007 amendment are patentable over the prior art of record because the teachings of the references taken as a whole do not show or render obvious the combination set forth, including control valves operative to be held closed in the absence of a sheet on the conveyor, by a negative pressure in the plenum sufficient to create a first pressure differential across the valves, the valves including means for biasing the valves to open for vacuum communication at a second pressure differential across the valves less than the first pressure differential; **and** means for applying plenum vacuum to an upstream end of the vacuum channel upstream of the upstreammost valve such that, as a sheet moves to progressively cover the vacuum channel, vacuum pressure in the channel moves in a downstream direction with the sheet to cause the first pressure differential across each valve in succession to decrease to the second pressure differential and the valves to serially open.

Independent claim 26 of applicant's 7/10/2007 amendment are patentable over the prior art of record because the teachings of the references taken as a whole do not show or render obvious the combination set forth, including each of the control valves including a flat resilient metal plate operatively connected by an edge to the plenum flat surface, the plate having a closure face bent away at an acute angle from the plane of the flat surface to provide the bias to open at the reduced pressure differential; and, a vacuum opening in the plenum flat surface providing vacuum communication between

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the plenum and the vacuum channel, the vacuum opening aligned with the valve plate and closed thereby at said high pressure differential.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Morrison whose telephone number is (571) 272-7221. The examiner can normally be reached on M-F, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey can be reached on (571) 272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

07/21/2007



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